

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

THOMAS LEE HARMON,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:04CV1580-SNL
)	
OLIVER GLEN BOYER,)	
DENISE LAFFING, ROBERT McLIN,)	
JOHN WOLF, GREG HAMBY,)	
UNKNOWN SHAW, and)	
SHANON LAPLEN,)	
)	
Defendants.)	

ORDER

The motion of “the Jefferson County defendants” is before the Court. Such defendants are listed as Sheriff Oliver “Glenn” Boyer, Cpt. Denise Lassing, Lt. Robert McKlin, Cpl. John Wolf and Cpl. Greg Hamby. The motion was filed January 21, 2005 and there has been no reply.

In the motion, such defendants aver that plaintiff is no longer incarcerated at the Jefferson County Jail. Accordingly, his claim for injunctive relief to improve prison conditions is moot if he is no longer subject to these conditions. Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985).

In addition, it appears from the record that plaintiff has failed to exhaust his administrative remedies. For these reasons and as plaintiff is not contesting the motion to dismiss, it should be granted.

IT IS THEREFORE ORDERED that the motion to dismiss of the Jefferson County defendants as named herein is **GRANTED** and this case, as to such defendants, is **DISMISSED** with prejudice.

Dated this 20th day of May, 2005.

A handwritten signature in black ink, reading "Stephen T. Limbaugh". The signature is written in a cursive style with a large, stylized "S" and "L".

SENIOR UNITED STATES DISTRICT JUDGE